

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RYAN KERWIN,)	
)	
Plaintiff)	Civil Action No. 05-0093E
)	
v.)	
)	
LT. WILLIAM McCONNELL,)	Judge Sean J. McLaughlin
)	
Defendant.)	Electronically Filed.

ORDER OF COURT

AND NOW, this _____ day of _____,
_____, upon consideration of Defendant's Motion to Alter or Amend the Judgment pursuant to Rule 59, it is hereby ORDERED that the Motion is GRANTED. The award of compensatory damages is reduced to \$1 pursuant to the Prison Litigation Reform Act, and the award of punitive damages is reduced to \$_____ in light of the factors enunciated by the Supreme Court in BMW of North America, Inc. v. Gore. If the plaintiff does not accept this remittitur, a new trial will be scheduled in this matter.

BY THE COURT:

_____, J.
The Honorable Sean J. McLaughlin